



Senate

General Assembly

January Session, 2017

File No. 400

Senate Bill No. 261

Senate, April 4, 2017

The Committee on Transportation reported through SEN. LEONE of the 27th Dist. and SEN. BOUCHER of the 26th Dist., Chairpersons of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING THE POINT SYSTEM FOR MOTOR VEHICLE VIOLATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-137a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2017*):

3 The Commissioner of Motor Vehicles shall adopt regulations in
4 accordance with the provisions of chapter 54, setting forth the number
5 of points chargeable against the [owner] holder of an operator's license
6 for conviction of any violation of the motor vehicle laws deemed
7 appropriate by the commissioner for the assessment of such points.
8 Such regulations shall provide specific information as to the number of
9 points assessed for the conviction of each specified violation, the total
10 number of points which, in a period of time specified by the
11 commissioner, shall require a hearing before the commissioner or
12 permit automatic suspension without prior hearing, and the period of
13 time during which any such suspension shall extend. Such regulations

14 shall provide that (1) not less than two points shall be assessed for
15 conviction of a violation of subsection (d) of section 14-100a, (2) not
16 more than one point shall be assessed for conviction of a violation of
17 section 14-219, (3) not more than two points shall be assessed for
18 conviction of a violation of section 14-212d, [and] (4) no points shall be
19 assessed for an infraction or any violation specified in subsection (b) of
20 section 51-164n for which the person sends payment of the fine and
21 any additional fees or costs established for such infraction or violation
22 to the Centralized Infractions Bureau in accordance with the
23 provisions of subsection (c) of section 51-164n, except not less than one
24 point shall be assessed for any violation of section 14-296aa, (5) two
25 points shall be deducted provided the holder passes the knowledge
26 test concerning motor vehicle laws and the rules of the road for a
27 motor vehicle operator's license, and (6) two points shall be deducted
28 provided the holder passes the on-the-road skills test portion of the
29 examination for a motor vehicle operator's license. No holder may
30 receive a two-point deduction pursuant to subdivision (5) or (6) of this
31 section more than one time. If such holder fails the knowledge test or
32 the on-the-road skills test undertaken pursuant to subdivision (5) or (6)
33 of this section, such holder shall take the test again not later than thirty
34 days after such failure. If such holder fails the second knowledge test
35 or the on-the-road skills test or does not take the test again, the
36 commissioner may suspend the motor vehicle operator's license for a
37 period of thirty days. If such regulations provide for participation in a
38 driver improvement course or system for the [owner] holder of an
39 operator's license, the commissioner may charge a fee of fifty dollars
40 for registration for such course or system.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2017	14-137a
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TRA *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 18 \$	FY 19 \$
State Comptroller - Fringe Benefits ¹	TF - Cost	36,738	36,738
Department of Motor Vehicles	TF - Cost	96,475	96,475
Department of Motor Vehicles	TF - Revenue Gain	Potential	Potential

Note: TF=Transportation Fund

Municipal Impact: None

Explanation

The bill requires the Department of Motor Vehicles (DMV) to allow individuals to retake the knowledge and/or road test to reduce the number of points assessed against the individual's driver's license. This is anticipated to result in a revenue gain to DMV dependent on the number of individuals that take advantage of the provisions of the bill. The total number of individuals with at least one point on their driver's license is 218,749. Currently the fee for the knowledge and road test together is \$40 and the bill does not specify the fee for each individual test.

Also, DMV would require additional staff at an annual cost of \$133,213 (\$96,475 in salaries and \$36,738 for fringe benefits) to complete the increased testing and assessments under the bill. The additional staff consists of one Motor Vehicle Agent with an average salary of \$51,478

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 38.08% of payroll in FY 18 and FY 19.

and one Motor Vehicle Examiner with an average salary of \$44,997 and corresponding fringe benefits.

Points	Amount of People
1	146,381
2	43,574
3	17,568
4	6,836
5	2,408
6	1,153
7	486
8	219
9	124
TOTAL	218,749

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future dependent on the number of individuals who retake the knowledge and/or road test.

OLR Bill Analysis**SB 261*****AN ACT CONCERNING THE POINT SYSTEM FOR MOTOR VEHICLE VIOLATIONS.*****SUMMARY**

This bill requires the Department of Motor Vehicles (DMV) commissioner to reduce the number of points assessed against a driver's license if the holder takes and passes certain tests. Specifically, the commissioner must deduct:

1. two points if the holder passes the knowledge test on motor vehicle laws and the rules of the road (presumably, this is the same test that a person must pass to get a learner's permit), and
2. two points if a holder passes the road test (presumably, this is the same test a learner's permit holder must pass to get a driver's license).

If the holder fails the test he or she took to receive a deduction, he or she must re-take the test within 30 days of the failure. If the holder fails the second test or does not take it again, DMV may suspend his or her license for 30 days.

The bill does not specify who initiates this process (e.g., DMV or the license holder) or how they must do so. Presumably, DMV would include such a process when it amends the point system regulations as the bill requires.

Under the bill, a license holder cannot receive either deduction more than once.

EFFECTIVE DATE: October 1, 2017

BACKGROUND***Point System for Motor Vehicle Violations***

Existing law and regulations require the DMV commissioner to assess points against a person's driver's license if he or she commits certain violations. The number of points assessed for a violation ranges from one to five, with more points being assessed for more serious violations. For example:

1. one point is assessed for speeding,
2. two points are assessed for failure to obey a stop sign,
3. three points are assessed for passing in a no-passing zone,
4. four points are assessed for failing to drive a reasonable distance apart with intent to harass, and
5. five points are assessed for negligent homicide with a motor vehicle.

Points remain on a person's driving record for 24 months following the initial assessment. DMV must suspend a person's license when his or her current total of assessed points equals or exceeds 10 (Conn. Agency Regs. § 14-137a-5 et seq.).

COMMITTEE ACTION

Transportation Committee

Joint Favorable

Yea 35 Nay 0 (03/17/2017)